

REMARKS

Reconsideration of the rejection of Claims 1, 3-5 and 7-9 is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, Applicants' attorney wishes to thank the Examiner for the indication of the allowability of the subject matter of Claims 2 and 6 which have been rewritten into independent claim form.

Turning first to the rejection of Claims 1 and 3-4 as anticipated by Nickerson Patent No. 3,136,014, it is respectfully submitted that the Examiner's interpretation of the Nickerson Patent is in error. Claim 1 as amended more clearly points out that the projection on one side wall of the receptor extends in a direction transverse to the recess defined between the two spaced side walls of the receptor. The projection 19 of Nickerson is certainly not located at a point spaced from the base of the channel between the two side walls to provide a retention area therebelow. Nickerson certainly has no concept of flexing the side wall to allow the leg to pass by the projection 19. The projection extends in the plane of the "side wall" to provide a hook behind which the pin may be locked. The concept and the structure are totally distinct.

With respect to Claim 3, it certainly does not appear that the second leg of Nickerson is biased towards the first leg and

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the receptor. It does appear that it is biased in the opposite direction by a simple analysis of the coil and reference to Figure 1. With respect to Claim 4, there is certainly nothing to suggest that a clicking sound is caused by passage of the second leg over the projecting portion.

As to the rejection of Claims 5 and 7-9 based upon the proposed combination of Nickerson with the French Patent, the Applicants concede that they are not the first to have used a pin-type element in jewelry. However, they are the first to have created a very effective safety clasp as defined in the independent claims. As to the proposed reconstruction of the conventional safety pin of Nickerson for use in conjunction with jewelry such as chains, it is hard to imagine that a structure shown in Nickerson would have application to jewelry and it would certainly not provide the safety features of Applicants' clasp. It certainly does not cure the deficiencies of Nickerson as to the basic pin.

Enclosed is a request for an extension of three months time in which to respond to the outstanding official action.

Applicants now have four independent claims. Enclosed is a check in the amount of Forty-Two Dollars (\$42.00) to cover the additional fee. If there is a question as to the amount, please debit or credit account of Pepe & Hazard LLP, Account No.

03-3355.

In view of the foregoing amendments and remarks, it is respectfully submitted that the amended claims of the application clearly distinguish over the prior art and offer a highly effective and attractive clasp for jewelry chain, and early allowance thereof is earnestly solicited.

Respectfully submitted,

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